

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

JASON JOAQUIN STROUD

PLAINTIFF

v.

CAUSE NO. 1:15CV148-LG-RHW

RAYMOND BYRD, et al.

DEFENDANTS

ORDER ADOPTING REPORT AND RECOMMENDATION

BEFORE THE COURT is the Report and Recommendation [26] entered by United States Magistrate Judge Robert H. Walker, in which he recommends that this lawsuit filed by Jason Joaquin Stroud should be dismissed for failure to timely serve process. The record reflects that Stroud received a copy of the Report and Recommendation prior to December 9, 2015, but he has not filed an objection to the Report and Recommendation. After reviewing the record in this matter and the applicable law, the Court finds that the Report and Recommendation should be adopted as the opinion of this Court, and this lawsuit should be dismissed without prejudice pursuant to Fed. R. Civ. P. 4(m).

DISCUSSION

On May 4, 2015, Stroud filed this lawsuit against Raymond Byrd, Hubert Davis, A. Stockstill, Terri Denmark, and Christopher Luker, challenging Rules Violation Reports that he received while incarcerated at Central Mississippi Correctional Facility. This Court has repeatedly provided Stroud with instructions for service of process, but he has failed to timely serve any of the defendants. Judge Walker entered a Report and Recommendation on December 2, 2015, in which he recommends that this lawsuit be dismissed for failure to timely serve process.

Stroud has not responded or objected to the Report and Recommendation.

Where no party has objected to the Magistrate Judge's report and recommendation, the Court need not conduct a *de novo* review of it. See 28 U.S.C. § 636(b)(1) ("A judge of the court shall make a *de novo* determination of those portions of the report or specified proposed findings and recommendations to which objection is made.") In such cases, the Court need only satisfy itself that there is no clear error on the face of the record. *Douglass v. United Serv. Auto Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996).

Having conducted the required review, the Court finds that Judge Walker's Report and Recommendation is neither clearly erroneous nor contrary to law.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the Report and Recommendation [26] entered by United States Magistrate Judge Robert H. Walker is **ADOPTED** as the opinion of this Court. This lawsuit is **DISMISSED WITHOUT PREJUDICE** pursuant to Fed. R. Civ. P. 4(m).

SO ORDERED AND ADJUDGED this the 6th day of January, 2016.

s/ Louis Guirola, Jr.
LOUIS GUIROLA, JR.
CHIEF U.S. DISTRICT JUDGE